# TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

## **BOND RIDER**

DOND RIDER
To be attached to and form a part of Bond #1 executed June 12, 2006, by Lakeview Rock Products, Inc., as Principal, and Travelers Casualty and Surety Company of America, as Surety, in favor of the State of Utah, Division of Oil, Gas and Mining, as Obligee.
In consideration of the mutual agreements herein contained, the Principal, Surety, and Obligee hereby consent to the following:
The lands affected which include active and currently disturbed areas are identified and described as follows: Portions of Township 1 North Range 1 West, Section 11, with an estimated lands affected disturbance not to exceed 20 acres.
Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated. This rider is effective June 21, 2006.
Signed and sealed the 21st day of June, 2006.
Lakeview Rock Products, Inc.,
By: Scott Hughes

Travelers Casualty and Surety Company of America

By: Stirling S. Broadhead, Attorney-in-Fact





#### POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No.

214562

Certificate No. 000230913

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Sam W. Clark, Stirling S. Broadhead, Joseph A. Beykirch, Douglas S. Roskelley, and S. Christopher Clark

of the City ofSalt Lake C each in their separate capacity if other writings obligatory in the contracts and executing or guara	more than one is named above, nature thereof on behalf of the	to sign, execute, se Companies in thei	eal and acknowledger business of guara	anteeing the fid	onds, recognizance elity of persons, g		dertakings and
IN WITNESS WHEREOF, the day ofFebruary	e Companies have caused this in	strument to be sign	ed and their corpo	prate seals to be	hereto affixed, thi	is20th	
day of	Farmington Casualty Com Fidelity and Guaranty Inst Fidelity and Guaranty Inst Seaboard Surety Company St. Paul Fire and Marine I	irance Company irance Underwrite	ers, Inc.	St. Paul Me Travelers C Travelers C	•	Company	
1932	MOORPORNIED (1927)	TOTAL STATE OF THE	SEAL S	SEAL S	HAPTTOPOLY OF THE PROPERTY OF		1896
State of Connecticut City of Hartford ss.			Ву: _	George	W.Mompson, Sen	jor Vice President	
On this the 20th himself to be the Senior Vice Pr Inc., Seaboard Surety Company, Casualty and Surety Company, authorized so to do, executed the	, St. Paul Fire and Marine Insura Travelers Casualty and Surety	ance Company, St. Company of Amer	y and Guaranty In Paul Guardian Instica, and United St	surance Companurance Companurance Fidelity an	ny, Fidelity and G y, St. Paul Mercur d Guaranty Comp	ry Insurance Compount, and that he,	Underwriters, pany, Travelers as such, being

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2006.



Marie C. Tetreault, Notary Public

FORM MR-5

May 24, 2006

Bond Number 
Surety NAIC No.

Permit Number

Mine Name Thomas Pit Mine No. M0110002

RECEIVED

JUN 1 3 2006

Div. of Oil, Gas & Mining

ATTACHMENTA
To
RECLAMATION CONTRACT
BETWEEN PRINCIPAL AND DIVISION

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas and Mining

1594 West North Temple Suite 1210 Box 145801

Salt Lake City, Utah 84114-5801 Telephone: (801) 538-5291 Fax: (801) 359-3940

## THE UTAH MINED LAND RECLAMATION ACT

SURETY BOND

The undersigned Lakeview Rock Products, Inc., as Principal, a corporation organized under the laws of the State of Utah, and Travelers Casualty and Surety Company of America, as Surety, a corporation organized under the laws of the State of Connecticut, hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors, and assigns, jointly and severally, unto the State of Utah, Division of Oil, Gas and Mining ("Division") in the penal sum of One Hundred Thoudand Dollars (\$100,000).

This Surety Bond is provided to secure the obligations of the Principal, as set forth by the terms and conditions of the Reclamation Contract, and any addendums thereto, to reclaim lands that will be affected by mining operations as identified in the Notice of Intention received, or approved if applicable, by the Division on the 12th day of June, 2006.

The lands that are covered by this Surety Bond are the Lands Affected by mining operations as defined and described in the above Notice, and the Mining and Reclamation Plan if required, subject to terms and conditions of the Reclamation Contract.

The condition of this obligation is that if the Division determines that Principal has satisfactorily reclaimed the disturbed lands in accordance with the Mining and Reclamation Plan or Notice and has faithfully performed all requirements of the Mined Land Reclamation Act, and complied with the Rules and

Page 2 MR-5 Attachment A (revised May 24, 2006) Bond Number Surety NAIC No.

Permit Number Mine Name Thomas Pit

Regulations adopted in accordance therewith, then this obligation shall be void; otherwise it shall remain in full force and effect. Failure of the Principal to fulfill the obligations specified by the Mined Land Reclamation Act and the Rules adopted there under, and in accordance with the specification of the Principal's Mining and Reclamation Plan or Notice, may result in forfeiture of this bond in accordance with the applicable statutes and regulations.

If the Mining and Reclamation Plan or Notice provides for periodic partial reclamation of the lands affected, and if the lands are reclaimed in accordance with such Plan or Notice, Act and regulations, then Principal may apply for a reduction in the amount of this Surety Bond. In the converse, if the Mining and Reclamation Plan or Notice provides for a gradual increase in the lands affected or the extent of disturbance, then, the Division may require that the amount of this Surety Bond be increased, with the written approval of the Surety. The amount of reclamation surety may also be adjusted as a result of a periodic review by the Division, which shall take into account inflation/deflation based upon an acceptable Costs Index, or at the request of the operator.

This bond may be canceled by Surety after ninety (90) days following receipt by the Division and Principal of written notice of such cancellation. Written notice to the Division and Principal as required by this paragraph shall be provided by certified mail or by a courier service that provides proof of delivery by signature of the recipient. Surety's liability shall then, at the expiration of said ninety (90) days, cease and terminate except that Surety will remain fully liable for all reclamation obligations of the Principal incurred prior to the date of termination.

Principal and Surety and their successors and assigns agree to guarantee said obligation and to indemnify, defend, and hold harmless the Division from any and all expenses (including attorney fees) which the Division may sustain in the collection of sums due hereunder.

Surety will give prompt notice to Principal and to the Division of the filing of any petition or the commencement of any proceeding relating to the bankruptcy, insolvency, reorganization, or adjustment of the debts of Surety, or alleging any violation or regulatory requirements which could result in suspension or revocation of the Surety's license to do business.

Surety is licensed to do business in Utah and is rated by A. M. Best as A- or better or rated as having Financial Performance Rating (FPR) of 8 or better, and is listed in the U. S. Department of Treasury's Circular "570." Upon incapacity of the Surety by reason of bankruptcy, insolvency, or suspension or revocation of its license, or upon failure to maintain the A. M. Best or FPR rating and listing on Circular "570", Principal shall be without adequate bond coverage as required by the Division and shall have 120 days after notice to replace the bond with other bonds acceptable to the Division. If the Principal does not replace this surety bond as required, the Division may order cessation of mining operations and commence actions to enforce its rights against the Surety. The Surety's liability shall continue and the Surety will remain fully liable for all reclamation obligations of the Principal incurred until this surety bond is forfeited, or the conditions of this obligation have been satisfied.

Page 3 MR-5 Attachment A (revised May 24, 2006)

Bond Number 1	
Surety NAIC No.	
Permit Number	-
Mine Name Thomas	Pit

IN WITNESS WHEREOF, the Principal and Surety hereunto set their signatures and seals as of the dates set forth below.

Lakeview Rock Products, Inc.	
Principal (Permittee)	
Scott Hughes Vice President	
By (Name and Title typed):	
Holl of	June 12, 2006
Signature	Date
Surety Company	
Travelers Casualty and Surety Company of America	1100 East 6600 South, Suite 400
Surety Company Name	Street Address
Stirling S. Broadhead	Salt Lake City, UT 84121
Surety Company Officer	City, State, Zip
Attorney-in-Fact	801-288-1600
Title/Position	Phone Number
$(I_{11})_{\alpha}A_{\alpha}$	
Masc	June 12, 2006
Signature	Date

Page 4 MR-5 Attachment A (revised May 24, 2006) Bond Number
Surety NAIC No. 
Permit Number
Mine Name Thomas Pit

SO AGREED this 12th day of June, 2006.

AND APPROVED AS TO FORM AND AMOUNT OF SURETY:

John R. Baza, Director

Utah State Division of Oil, Gas and Mining

\*NOTE: Where one signs by virtue of Power of Attorney for a Surety, such Power of Attorney must be filed with this bond. If the Operator is a corporation, the bond shall be executed by its duly authorized officer.

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Bond Number	
Surety NAIC No.	
Permit Number	
Mine Name Thomas	Pit

# AFFIDAVIT OF QUALIFICATION

On the 12th day of June, 2006, Stirling S. Broadhead personally appeared before me, who being by me duly sworn did say that he, the said Stirling S. Broadhead is the Attorney-in-Fact of Travelers Casualty and Surety Company of America and duly acknowledged that said instrument was signed on behalf of said company by authority of its bylaws or a resolution of its board of directors and said Stirling S. Broadhead duly acknowledged to me that said company executed the same, and that he is duly authorized to execute and deliver the foregoing obligations; that said Surety is authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertaking and obligations.

igned:

Title: Attorney-in-Fact

STATE OF UTAH

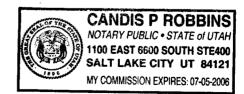
) ss:

COUNTY OF SALT LAKE

Subscribed and sworn to before me this 12th day of June, 2006.

Candis P. Robbins, Notary Public Residing at: Salt Lake City, UT

My Commission Expires: July 5, 2006







### **POWER OF ATTORNEY**

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No.

214562

Certificate No. 000230899

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Sam W. Clark, Stirling S. Broadhead, Joseph A. Beykirch, Douglas S. Roskelley, and S. Christopher Clark

of the City ofSalt Lake City	. State of Uta	1	, their true	and lawful Attor	nev(s)-in-Fact	
each in their separate capacity if more than one is named above,	,					
other writings obligatory in the nature thereof on behalf of the				uaranteeing the p	performance of	
contracts and executing or guaranteeing bonds and undertakings				20th		
IN WITNESS WHEREOF, the Companies have caused this in day of, 2006	" " " " " " " " " " " " " " " " " " "	their corporate seals to be	e hereto affixed, this	s		
Farmington Casualty Com	p <b>any</b>	St. Paul G	uardian Insurance	Company		
Fidelity and Guaranty <b>In</b> sů	rance Company		ercury Insurance (			
Fidelity and Guaranty İnsu Seaboard Surety Company			Travelers Casualty and Surety Company Travelers Casualty and Surety Company of America			
St. Paul Fire and Marine In			•	es Fidelity and Guaranty Company		
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State of Connecticut City of Hartford ss.		By:Grorg	Ze W Tyompson, Senj	or Vice President		
On this the 20th day of February	2006	before me personally ap	neared George W	Thompson who	acknowledged	
himself to be the Senior Vice President of Farmington Casualty Inc., Seaboard Surety Company, St. Paul Fire and Marine Insura Casualty and Surety Company, Travelers Casualty and Surety Cauthorized so to do, executed the foregoing instrument for the pure statement of the pure statement	Company, Fidelity and once Company, St. Paul Gompany of America, an	Guaranty Insurance Compa uardian Insurance Compar I United States Fidelity an	any, Fidelity and Guny, St. Paul Mercury	uaranty Insurance y Insurance Comp any, and that he,	Underwriters, pany, Travelers as such, being	
	O.T.			•		

58440-9-05 Printed in U.S.A.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2006.